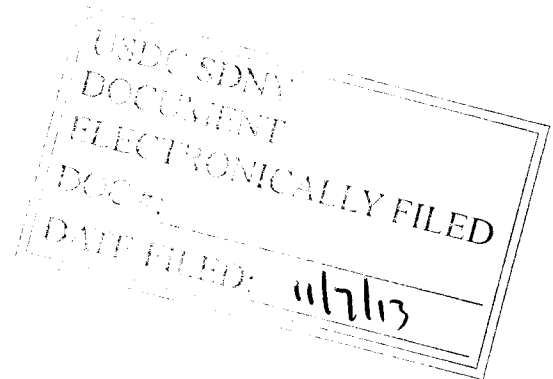


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x
:
UNITED STATES OF AMERICA
:
-v.-
:
JUDITH P. FADUL,
KENNETH GARCIA,
a/k/a "Alex Garcia,"
a/k/a "David Ortiz,"
a/k/a "Xavier Cortes,"
a/k/a "K-Dog,"
YASMIN DELAROSA,
a/k/a "Mo,"
REBECCA MARIE LAWRENCE,
PAUL EDMUND BROWN,
BRANDY KEATE MITCHELL,
JESUS MENA,
a/k/a "Christopher Mena,"
JAYRO CUSTODIO,
a/k/a "Jay," and
BRIAN GARCIA,
a/k/a "B-Boy,"
Defendants.
- - - - - x

SEALED INDICTMENT

S2 13 Cr. 143 (JMF)



COUNT ONE

(Narcotics Conspiracy)

The Grand Jury charges:

1. From at least in or about January 2010, up to and including in or about December 2012, in the Southern District of New York and elsewhere, JUDITH P. FADUL, KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," a/k/a "K-Dog," YASMIN DELAROSA, a/k/a "Mo," REBECCA MARIE LAWRENCE, PAUL EDMUND BROWN, BRANDY KEATE MITCHELL, JESUS MENA, a/k/a "Christopher Mena," JAYRO CUSTODIO, a/k/a "Jay," and BRIAN GARCIA, a/k/a "B-Boy," the defendants, and others known and

unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that JUDITH P. FADUL, KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," a/k/a "K-Dog," YASMIN DELAROSA, a/k/a "Mo," REBECCA MARIE LAWRENCE, PAUL EDMUND BROWN, BRANDY KEATE MITCHELL, JESUS MENA, a/k/a "Christopher Mena," JAYRO CUSTODIO, a/k/a "Jay," and BRIAN GARCIA, a/k/a "B-Boy," the defendants, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. §§ 812 and 841(a)(1).

3. The controlled substances involved in the offense were: (1) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (2) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(A); (3) five hundred grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B); (4) a quantity of 3,4-methylenedioxymethamphetamine ("MDMA"), commonly known as ecstasy and/or "Molly," in violation of Title 21, United States Code, Section 841(b)(1)(C); and (5) fifty kilograms and less of mixtures and substances containing a

detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(b)(1)(D).

(Title 21, United States Code, Section 846.)

COUNT TWO

(Possession of a Firearm During and In Relation to a Drug Trafficking Crime)

The Grand Jury further charges:

4. In or about September 2012, in the Southern District of New York, JUDITH P. FADUL, and KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," the defendants, during and in relation to a drug trafficking crime for which they may be prosecuted in a court of the United States, namely, the narcotics trafficking conspiracy charged in Count One of this Indictment, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, to wit, FADUL and GARCIA possessed a firearm, and aided and abetted the possession of a firearm, in connection with a conspiracy to distribute heroin, cocaine, crack cocaine, and marijuana.

(Title 18, United States Code, Sections 924(c) and 2.)

COUNT THREE

(Felon in Possession)

The Grand Jury further charges:

5. In or about September 2012, in the Southern District of New York, KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," the defendant, after having

been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce a firearm, to wit, a Taurus .38 Special caliber firearm, which had previously been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

COUNT FOUR

(Maintaining a Drug-Involved Premises)

The Grand Jury further charges:

6. From in or about January 2012 through in or about September 2012, JUDITH P. FADUL, the defendant, managed and controlled a place, to wit, Apartment 4K located at 2825 Claflin Avenue, Bronx, New York, permanently and temporarily, as an owner, lessee, agent, employee, occupant, and mortgagee, and knowingly and intentionally rented, leased, profited from, and made available for use, with or without compensation, said place for the purpose of unlawfully manufacturing, storing, distributing, and using controlled substances.

(Title 21, United States Code, Section 856.)

COUNT FIVE

(Possessing Counterfeit Obligations or Securities)

The Grand Jury further charges:

7. In or about September 2012, in the Southern District of New York and elsewhere, JUDITH P. FADUL, and KENNETH

GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," the defendants, willfully and knowingly did pass, utter, publish, and sell, and did attempt to pass, utter, publish, and sell, and with like intent did bring into the United States and kept in possession and concealed falsely made, forged, counterfeited, and altered obligations, and other securities of the United States, to wit, FADUL and GARCIA possessed counterfeit Federal Reserve Notes purportedly issued by the United States.

(Title 18, United States Code, Section 472.)

COUNT SIX

(Fictitious Obligations)

The Grand Jury further charges:

8. In or about September 2012, in the Southern District of New York and elsewhere, JUDITH P. FADUL, and KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," the defendants, willfully and knowingly did draw, print, process, produce, publish, and otherwise make, or attempt or cause the same, within the United States, a false or fictitious instrument, document, or other item appearing, representing, purporting, or contriving through scheme or artifice, to be an actual security or other financial instrument issued under the authority of the United States, a foreign government, a State or other political subdivision of the United States, or an organization, to wit, GARCIA and FADUL printed

fictitious Federal Reserve Notes purportedly issued by the United States.

(Title 18, United States Code, Section 514(a)(1).)

FORFEITURE ALLEGATION

9. As a result of committing the controlled substance offense alleged in Count One of this Indictment, JUDITH P. FADUL, KENNETH GARCIA, a/k/a "Alex Garcia," a/k/a "David Ortiz," a/k/a "Xavier Cortes," a/k/a "K-Dog," YASMIN DELAROSA, a/k/a "Mo," REBECCA MARIE LAWRENCE, PAUL EDMUND BROWN, BRANDY KEATE MITCHELL, JESUS MENA, a/k/a "Christopher Mena," JAYRO CUSTODIO, a/k/a "Jay," and BRIAN GARCIA, a/k/a "B-Boy," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendants obtained directly and indirectly as a result of the offense and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count One of this Indictment.

10. As a result of committing the controlled substance offense alleged in Count Four of this Indictment, JUDITH P. FADUL, the defendant, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendant obtained directly and indirectly as a result of the

offense and any and all property used and intended to be used in any manner and part to commit and to facilitate the commission of the offense alleged in Count Four of this Indictment.

Substitute Assets Provision

11. If any of the above-described forfeitable property, as a result of any act or omission of the said defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the said defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON



PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v -

JUDITH P. FADUL, KENNETH GARCIA,
a/k/a "Alex Garcia," a/k/a "David
Ortiz," a/k/a "Xavier Cortes,"
a/k/a "K-Dog," YASMIN DELAROSA,
a/k/a "Mo," REBECCA MARIE LAWRENCE,
PAUL EDMUND BROWN, BRANDY KEATE
MITCHELL, JESUS MENA,
a/k/a "Christopher Mena," JAYRO
CUSTODIO, a/k/a "Jay," and BRIAN
GARCIA, a/k/a "B-Boy,"

Defendants.

INDICTMENT

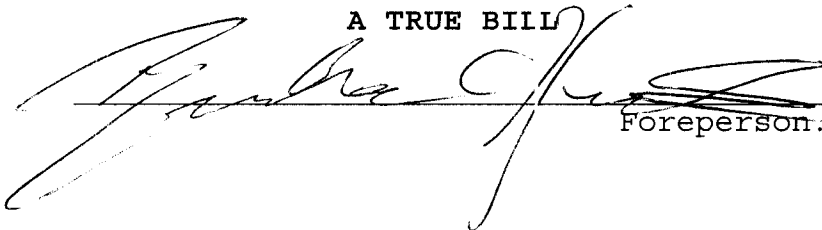
S1 13 Cr. 147 (LTS)

(Title 21, United States Code,
Sections 846, 856, and 853, Title 18,
United States Code, Sections 922, 924,
472, and 514.)

PREET BHARARA

United States Attorney.

A TRUE BILL


Foreperson.

11-7-13
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Filed Indictment Under Seal, AW issued
in AS Lawrence, Brown, Mitchell, Meng
Custodio + Garcia Ellis
SMT